

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL MONCKTON,)	
)	
Plaintiff,)	
vs.)	NO. CIV-15-0883-HE
)	
JASON BRYANT, Warden,)	
)	
Defendant.)	

ORDER

Plaintiff Michael Monckton, a state prisoner appearing *pro se*, brought this action pursuant to 28 U.S.C. § 2254, challenging his convictions in state court. Consistent with 28 U.S.C. § 636(b)(1)(B), this matter was referred for initial proceedings to Magistrate Judge Gary M. Purcell, who recommends the case be dismissed without prejudice due to ongoing state proceedings concerning plaintiff's convictions and sentences.

Neither party has objected to the Report and Recommendation, and both parties have therefore waived any right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts the Report and Recommendation [Doc. # 12] and **DISMISSES** this case without prejudice.

IT IS SO ORDERED.

Dated this 29th day of November, 2015.



JOE HEATON
CHIEF UNITED STATES DISTRICT JUDGE